REMARKS

I. Overview

Claims 1-21 are pending in this application. Claims 1, 16, 17, and 20-21 have been amended. Support for these amendments can be found in the Specification, at page 5. No new matter has been added. The present response is an earnest effort to place all claims in proper form for immediate allowance. Reconsideration and passage to issuance is therefore respectfully requested.

II. Claim Rejections - 35 U.S.C. § 112

Claims 1-5 and 13-21 stand rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for a method for screening for compounds useful for the treatment or amelioration of preeclampsia and/or symptoms thereof comprising inducing preeclampsia in a BPH/5 murine animal, does not reasonably provide enablement for a method for screening for compounds useful for the treatment or amelioration of preeclampsia and/or symptoms thereof comprising inducing preeclampsia in any animal with a BPH/5 phenotype. The Examiner states that further, the genus of the claimed invention "an animal with a BPH/5 phenotype" is very broad, encompassing not only mammalian species, but amphibians, reptiles, and insects.

The Examiner states that, therefore, without specific guidance from the art or from the instant specification, the making and using of a BPH/5 animal as a model for preeclampsia in a method for screening compounds useful for the treatment or amelioration of symptoms of preeclampsia in any animal other than mouse is unpredictable. Applicants disagree with Examiner's statements, but in order to expedite prosecution, Applicants have amended independent claims 1, 13, 16, 17, 20 and 21 so that they now require "a murine animal". In light

of the above, Applicants submit that claims 1-5 and 13-21 are fully enabling and commensurate in scope with the disclosure of the claimed invention. Therefore, Applicants request that the rejection under section 112 be withdrawn and reconsidered.

III. Claim Rejections - 35 U.S.C. § 102

A. Makino et al

Claims 1, 13, 16, and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Makino et al. (Eur J Pharm 371:159-167, 1999). The Examiner states that Makino et al teach a method of using a preeclampsia rat model to screen the effect of adrenomedullin. The Examiner states that preeclampsia was induced in pregnant rats by administration of the NO synthase inhibitor, N-nitro-L-arginine methyl ester (L-NAME), which increased basal systolic blood pressure in pregnant and non-pregnant rats. The Examiner states pregnant rates receiving L-NAME also showed a higher fetal mortality than did intact rats, and show " preeclampsia-like symptoms consisting of hypertension, intrauterine growth restriction, proteinuria and renal glomerulus injury." Eur J Pharm , at page 164, paragraph 3.

The Examiner states that while Makino et al does not teach the BPH/5 mouse, the rat model of preeclampsia taught by Makino et al exhibited hypertension, proteinuria, renal glomerulus injury, endothelial dysfunction, and a higher fetal mortality rate, indicating that said rat model has the same defining characteristics as the claimed BPH/5 mouse of the instant application and cites the instant Specification, at page 5, lines 15-20 and page 9, lines 21-24. The Examiner states that therefore, the teachings of Makino et al encompasses the limitations of the claim such that the art anticipates the invention of claim 1. Applicants respectfully traverse this rejection.

To anticipate, the prior must contain each and every limitation in the claim. Makino et al does not teach the phenotype of a BPH/5 mouse as described in the Specification. While Examiner refers to the passage at page 5, lines 15-20 in the Specification, Examiner glosses over lines 17-20 which teach that "BPH/5 mice also exhibited reduced fetal weights and smaller liter sizes due to fetal demise in mid and late gestation suggesting a post-implantation phenomenon. Longitudinal ultrasound studies during pregnancy in these mice documented fetal demise prior to the onset of hypertension and proteinuria." At page 20, lines 5-13 in the Specification, Applicants teach that "Preeclampsia is associated with perinatal morbidity and mortality and increased risk of poor fetal growth....Thus, litter sizes, neonatal weights, and fetus numbers were examined at different stages of pregnancy. BPH/5 mothers delivered significantly smaller liters of live pups compared to...[the control] (Figure 4A), and of those BPH/5 pups born, the average body weight was significantly less than that of ... [the control] (Figure 4B)."

In contrast, Makino teaches that L-NAME induced preeclampsia did not significantly affect the weights of the pups. Makino et al, Eur J Pharm, at page 163, right col, 1st paragraph. Makino et al is also silent as to the liter size obtained from L-NAME induced preeclampsia rats. Makino et al does not teach each and every limitation in the claims. Therefore, Applicants request that the rejection to claims 1, 13 and 16-17 under 35 U.S.C. §102(b) be withdrawn and reconsidered.

B. Takimoto et al

Claims 1-5 and 13-21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Takimoto et al (Science 274(5289): 995-998, 1996). The Examiner states that Takimoto et al teach a method for screening for compounds useful for preeclampsia comprising transgenic female mice carrying the human angiotensinogen gene bred with transgenic male mice carrying

the human rennin gene. The Examiner states that further, the authors teach administration of said female mice with ES-8891, an inhibitor specific for human rennin, which in humans originates from the placenta and has been shown to rise during pregnancy and could therefore be used for the treatment of preeclampsia. The Examiner states that while Takimoto et al does not teach the BPH/5 mouse, the mouse model of preeclampsia taught by Takimoto et al exhibited hypertension, proteinuria, and enalrged glomeruli. Applicants respectfully traverse this rejection.

To anticipate, the prior must contain each and every limitation in the claim. Takimoto et al does not teach the phenotype of a BPH/5 mouse as described in the Specification. While Examiner refers to the passage at page 5, lines 15-20 in the Specification, Examiner glosses over lines 17-20 which teach that "BPH/5 mice also exhibited reduced fetal weights and smaller liter sizes due to fetal demise in mid and late gestation suggesting a post-implantation phenomenon. Longitudinal ultrasound studies during pregnancy in these mice documented fetal demise prior to the onset of hypertension and proteinuria." At page 20, lines 5-13 in the Specification, Applicants teach that "Preeclampsia is associated with perinatal morbidity and mortality and increased risk of poor fetal growth....Thus, litter sizes, neonatal weights, and fetus numbers were examined at different stages of pregnancy. BPH/5 mothers delivered significantly smaller liters of live pups compared to...[the control] (Figure 4A), and of those BPH/5 pups born, the average body weight was significantly less than that of ... [the control] (Figure 4B)."

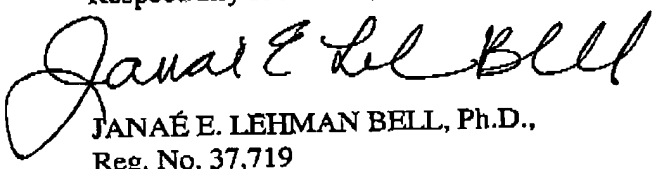
Takimoto et al are silent as to weight and size of the liter obtained from its preeclampsia transgenic mouse model. Therefore, Takimoto et al does not teach each and every limitation in the claims. Therefore, Applicants request that the rejection to claims 1-5 and 13-21 under 35 U.S.C. §102(b) be withdrawn and reconsidered.

IV. Conclusion

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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